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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/715,381

11/19/2003

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30016070-1000

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26263 7590 10/05/2007  
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EXAMINER

DINH, KHANH Q .

ART UNIT

PAPER NUMBER

2151

MAIL DATE

DELIVERY MODE

10/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	Application No. 10/715,381	Applicant(s) HUTCHINSON ET AL.	
	Examiner Khanh Dinh	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-58 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/6/05, 8/21/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-58 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-58 are rejected under 35 U.S.C. 102(e) as being anticipated by England, US pat. No.6,144,991.

As to claim 1, England discloses a method in data processing system for collaboration, comprising the steps of: receiving a first request to perform an operation synchronously with a live session by a collaboration tool (see abstract, figs.8, 9, col.12 line 15 to col.13 line 6); executing the operation in response to the first synchronous request by the collaboration tool and receiving a second request to perform the same operation asynchronously with the live session by the collaboration tool (see col.14 lines 15-62); and executing the operation in response to the second asynchronous request by the collaboration tool (see col.15 line 25 to col.16 line 33).

As to claim 2, England discloses receiving the first request via a graphical user

interface; and receiving the second request via the graphical user interface (see fig.10, col.13 lines 7-31 and col.14 lines 15-64).

As to claim 3, England discloses executing the operations in response to the first request further comprises the steps of detecting the presence of another user to determine whether the user is online and executing the operation based on the determination (see fig.9, col.14 line 36 to col.15 line 65).

As to claims 4-6, England discloses executing the operation based on the determination further comprises the step of delaying execution of the operation based the determination, sending a question and sending an answer in response to a question (see col.14 line 15 to col.15 line 65 and col.19 lines 13-56).

As to claims 7-9, England discloses wherein the operation comprises sending a file, sending a quiz and sending a response to a quiz (see col.14 line 15 to col.15 line 65 and col.19 lines 13-56).

As to claim 10, England discloses a method in a data processing system having a collaboration tool, the method comprising the steps performed by the collaboration tool of: displaying a graphical user interface including a plurality of operations (see abstract, figs.8, 9, col.12 line 15 to col.13 line 6); receiving a first request to perform one of the operations in a synchronous manner and receiving a second request to perform the one

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operation in an asynchronous manner (see col.14 lines 15-62 and col.15 line 25 to col.16 line 33).

As to claims 11-12, England discloses performing the one operation and recording a live interactive presentation with interactive elements; and playing the recording of the live presentation such that a user is able to interact with the interactive elements (using recording and playback functions, see col. 20 line 32 to col.21 line 27 and col.22 lines 22-64).

As to claims 13-14, England discloses creating a recording using a collaboration tool and providing, during playback of the recording, interactive elements of the collaboration tool available during creation of the recording (using recording and playback functions, see col. 20 line 32 to col.21 line 27 and col.22 lines 22-64).

As to claims 15-19, England discloses that the collaboration tool comprises: a note tool, a question and answer tool, a file transfer tool, quiz tool and a presentation broadcast tool (see col. 20 line 32 to col.21 line 27 and col.22 lines 22-64).

Claims 20-28 are rejected for the same reasons set forth in claims 1-9 respectively.

Claims 29 and 30 are rejected for the same reasons set forth in claims 10 and 11 respectively.

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Claims 31-38 are rejected for the same reasons set forth in claims 12-19 respectively.

Claims 39-47 are rejected for the same reasons set forth in claims 1-9 respectively.

Claims 48-49 are rejected for the same reasons set forth in claims 10 and 11 respectively.

Claims 50-58 are rejected for the same reasons set forth in claims 31-38 and 1 respectively.

***Other prior art cited***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Bose et al, US pub. No.20020042830.
- b. Brown et al, US pat. No.6,385,652.
- c. Angel et al, US pub. No.20020133392.
- d. Barton, US Pub. No.20020046074.
- e. Sendowski et al. US pub. No.2003/0198934.

***Conclusion***

5. Claims 1-58 are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-

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3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**  
Commissioner for patents  
P O Box 1450  
Alexandria, VA 22313-1450

*Khanh Dinh*  
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PRIMARY EXAMINER  
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